



DEPARTMENT OF LABOR

Office of Workers' Compensation Programs

Agency Information Collection Activities; Comment Request; Federal Employees' Compensation Act Medical Reports and Compensation Claims

AGENCY: Office of Workers' Compensation, DOL.

ACTION: Notice.

SUMMARY: The Department of Labor (DOL), is soliciting comments concerning a proposed extension for the authority to conduct the information collection request (ICR) titled, "Medical Forms and Claim for Compensation." This comment request is part of continuing Departmental efforts to reduce paperwork and respondent burden in accordance with the Paperwork Reduction Act of 1995 (PRA).

DATES: Consideration will be given to all written comments received by [INSERT DATE 60 DAYS AFTER THE DATE OF PUBLICATION IN THE FEDERAL REGISTER].

ADDRESSES: A copy of this ICR with applicable supporting documentation; including a description of the likely respondents, proposed frequency of response, and estimated total burden may be obtained free by contacting Anjanette Suggs by telephone at 202-354-9660 or by email at suggs.anjanette@dol.gov.

Submit written comments about, or requests for a copy of, this ICR by mail or courier to the U.S. Department of Labor, Office of Workers' Compensation Programs, Room S3323, 200 Constitution Avenue, N.W., Washington, D.C. 20210; by email: suggs.anjanette@dol.gov.

FOR FURTHER INFORMATION: Contact Anjanette Suggs by telephone at 202-354-9660 or by email at suggs.anjanette@dol.gov.

SUPPLEMENTARY INFORMATION: The DOL, as part of continuing efforts to reduce paperwork and respondent burden, conducts a pre-clearance consultation program to provide the general public and Federal agencies an opportunity to comment on proposed and/or continuing collections of information before submitting them to the OMB for final approval. This program helps to ensure requested data can be provided in the desired format, reporting burden (time and financial resources) is minimized, collection instruments are clearly understood, and the impact of collection requirements can be properly assessed.

Background: The Office of Worker's Compensation Programs (OWCP) administers the Federal Employees' Compensation Act (FECA). 5 U.S.C. § 8149, Congress gives the Secretary of Labor authority to prescribe the rules and regulations necessary for the administration and enforcement of the FECA. 5 U.S.C. §8102, the FECA requires the United States to provide compensation to individuals who sustain an injury while in the course of federal employment. 5 U.S.C. § 8103, authorizes FECA to provide medical and initial medical and other benefits.

5 U.S.C. § 8102, Compensation for disability or death of employee

(a) The United States shall pay compensation as specified by this subchapter for the disability or death of an employee resulting from personal injury sustained while in the performance of his duty, unless the injury or death is—

(1) caused by willful misconduct of the employee;

(2) caused by the employee's intention to bring about the injury or death of himself or of another; or

(3) proximately caused by the intoxication of the injured employee.

(b) Disability or death from a war-risk hazard or during or as a result of capture, detention, or other restraint by a hostile force or individual, suffered by an employee who is employed outside the continental United States or in Alaska or in the areas and installations in the Republic of Panama made available to the United States pursuant to the Panama Canal Treaty of 1977 and related agreements (as described in section 3(a) of the Panama Canal Act of 1979), is deemed to have resulted from personal injury sustained while in the performance of his duty, whether or not the employee was engaged in the course of employment when the disability or disability resulting in death occurred or when he was taken by the hostile force or individual. This subsection does not apply to an individual—

(1) whose residence is at or in the vicinity of the place of his employment and who was not living there solely because of the exigencies of his employment, unless he was injured or taken while engaged in the course of his employment; or

(2) who is a prisoner of war or a protected individual under the Geneva Conventions of 1949 and is detained or utilized by the United States.

5 U.S.C. § 8103, Medical services and initial medical and other benefits

(a) The United States shall furnish to an employee who is injured while in the performance of duty, the services, appliances, and supplies prescribed or recommended by a qualified physician, which the Secretary of Labor considers likely to cure, give relief, reduce the degree or the period of disability, or aid in lessening the amount of the monthly compensation. These services, appliances, and supplies shall be furnished--

(1) whether or not disability has arisen;

(2) notwithstanding that the employee has accepted or is entitled to receive benefits under subchapter III of chapter 83 of this title or another retirement system for employees of the Government; and

(3) by or on the order of United States medical officers and hospitals, or, at the employee's option, by or on the order of physicians and hospitals designated or approved by the Secretary. The employee may initially select a physician to provide medical services, appliances, and supplies, in accordance with such regulations and instructions as the Secretary considers necessary, and may be furnished necessary and reasonable transportation and expenses incident to the securing of such services, appliances, and supplies. These expenses, when authorized or approved by the Secretary, shall be paid from the Employees' Compensation Fund.

The following forms and letters are the standard forms and letters for the collection of this information: Claim for Compensation (CA-7); Authorization for Examination and/or Treatment (CA-16); Duty Status Report (CA-17); Attending Physician's Report (CA-20); Request for the Services of an Attendant (CA-1090); Referral to a Medical Specialist (CA-1305); OWCP Requirements for Audiological Examination (CA-1087); Referral for a Complete Audiologic and Otologic Examination (CA-1331); Outline for Audiologic Examination (CA-1332); Work Capacity Evaluation, Psychiatric/Psychological Conditions (OWCP-5a); Work Capacity Evaluation, Cardiovascular/Pulmonary Conditions (OWCP-5b); and Work Capacity Evaluation, Musculoskeletal Conditions (OWCP-5c). This information collection is currently approved for use through March 31, 2021 . This information collection is subject to the PRA. A Federal agency generally cannot conduct or sponsor a collection of information, and the public is generally not required to respond to an information collection, unless the OMB under the PRA approves it and displays a currently valid OMB Control Number. In addition,

notwithstanding any other provisions of law, no person generally be subject to penalty for failing to comply with a collection of information that does not display a valid Control Number. See 5 CFR 1320.5(a) and 1320.6.

Interested parties are encouraged to provide comments to the contact shown in the ADDRESSES section. Written comments will receive consideration, and summarized and included in the request for OMB approval of the final ICR. In order to help ensure appropriate consideration, comments should mention OMB Number 1240-0046.

Submitted comments will also be a matter of public record for this ICR and posted on the Internet, without redaction. The DOL encourages commenters not to include personally identifiable information, confidential business data, or other sensitive statements/information in any comments.

The DOL is particularly interested in comments that:

- Evaluate whether the proposed collection of information is necessary for the proper performance of the functions of the agency, including whether the information will have practical utility.
- Evaluate the accuracy of the agency's estimate of the burden of the proposed collection of information, including the validity of the methodology and assumptions used.
- Enhance the quality, utility, and clarity of the information to be collected; and
- Minimize the burden of the collection of information on those who are to respond, including through the use of appropriate automated, electronic, mechanical, or other technological collection techniques or other forms of information technology, e.g., permitting electronic submission of responses.

Agency: DOL-Office of Workers' Compensation Programs

Type of Review: Extension

Agency: Office of Workers' Compensation Programs

Title of Collection: FECA medical Reports, Claim for Compensation

Form: CA-7; CA-16; CA-17; CA-20; CA-1090; CA-1305; CA-1087; CA-1331; CA-1332; OWCP-5a; OWCP-5b; and OWCP-5c.

OMB Number: 1240-0046

Affected Public: Individuals or households

Estimated Number of Respondents: 282, 353

Frequency: As needed

Total Estimated Annual Responses: 282, 353

Estimated Average Time per Response: 5 - 30 minutes

Estimated Total Annual Burden Hours: hours 25, 605

Total Estimated Annual Other Cost Burden: \$110, 118

AUTHORITY: 44 U.S.C. 3506(c)(2)(A).

Anjanette Suggs,

Agency Clearance Officer.